1995 Review and Extension Conference

of the Parties to the Treaty on the

Non-Proliferation of Nuclear Weapons

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FINAL REPORT OF THE PREPARATORY COMMITTEE FOR THE 1995 REVIEW AND EXTENSION CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I. TERMS OF REFERENCE AND ORGANIZATION OF WORK

1. At its forty-seventh session, the General Assembly, in resolution 47/52 A of 9 December 1992, took note of the decision of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons, following appropriate consultations, to form a preparatory committee for a conference to review the operation of the Treaty and to decide on its extension, as called for in article X, paragraph 2, and also as provided for in article VIII, paragraph 3, of the Treaty.

2. The General Assembly also noted that the Preparatory Committee would be open to all parties to the Treaty and, if the Preparatory Committee so decided at the outset of its first session, to States not parties, as observers.

3. The Committee held four sessions: the first in New York from 10 to 14 May 1993, the second in New York from 17 to 21 January 1994, the third in Geneva from 12 to 16 September 1994 and the fourth in New York from 23 to 27 January 1995. Progress reports covering the first three sessions of the Committee were issued, respectively, as documents NPT/CONF.1995/PC.I/2, NPT/CONF.1995/PC.II/3 and NPT/CONF.1995/PC.III/15.

4. At its first session, the Preparatory Committee elected Mr. Jan Hoekema (Netherlands) to serve as Chairman of the first session. It also decided that Mr. André Erdös (Hungary) would be Chairman of the second session. The Committee was informed that the Group of Non-Aligned States had nominated Nigeria to serve as Vice-Chairman of the first session and Chairman of a future session. It was further decided that the persons elected, when not serving as Chairmen, would serve as Vice-Chairmen. At its second session, the Committee elected Mr. Isaac E. Ayewah (Nigeria) to serve as Chairman of the third session. Further, at its third session the Committee was informed that Mr. Hoekema had been elected to his country's legislative assembly and had been succeeded by Mr. Jaap Ramaker. At its fourth session, the Committee elected Mr. Pasi Patokallio (Finland) to serve as Chairman of that session. The Committee authorized its Bureau and the President-elect to handle technical and other matters in the period before the Conference. Furthermore, the Committee decided that the Chairman of the fourth session should open the Conference.

5. Mr. Prvoslav Davinic, Director, Centre for Disarmament Affairs, represented the Secretary-General of the United Nations, Ms. Silvana F. da Silva, Senior Political Affairs Officer, served as Secretary of the Committee's first session, and Mrs. Hannelore Hoppe, Political Affairs Officer, Centre for Disarmament Affairs, served as Secretary of the second, third and fourth sessions. Mr. Mohamed Elbaradei, Assistant Director General for External Relations,

International Atomic Energy Agency (IAEA), Mr. Berhanykun Andemicael, Representative of the Director General of IAEA to the United Nations in New York, Mr. Paulo Barretto, Director, Division of Technical Cooperation Programmes, Mr. Richard Hooper, Director, IAEA Safeguards Department, Ms. Merle Opelz, Head of the IAEA Office at Geneva, and Ms. Jan Priest, Head, Safeguards and Non-Proliferation Policy Section, Division of External Relations, IAEA, represented the Agency.

6. Delegations of the following 154 States parties participated in one or more sessions of the Preparatory Committee:

Afghanistan, Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia and Zimbabwe.

7. At its second session, the Committee decided that representatives of States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should be allowed, upon request, to attend as observers the meetings of the Committee other than those designated closed meetings, to be seated in the Committee behind their countries' nameplates and to receive documents of the Committee. They should also be entitled, at their own expense, to submit documents to the participants in the Committee. Accordingly, representatives of the following States not parties to the Treaty attended meetings of the Committee as observers: Argentina, Brazil, Chile, Cuba, Israel, Oman, Pakistan and United Arab Emirates.

8. With regard to the participation of representatives of intergovernmental organizations, the Committee decided, at its third session, that they should be allowed, upon request, to attend as observers the meetings of the Committee

other than those designated closed meetings, to be seated in the Committee behind their organizations' nameplates and to receive documents of the Committee. They should also be entitled, at their own expense, to submit documents to the participants in the Committee. The following intergovernmental organizations were represented as observers at meetings of the Committee: Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), European Community and League of Arab States.

9. Furthermore, the Committee decided at its second session that representatives of non-governmental organizations (NGOs) should be allowed, upon request, to attend the meetings of the Committee other than those designated closed, to be seated in the public gallery, to receive documents of the Committee and, at their own expense, to make written material available to the participants in the Committee. They should also be given an opportunity, during the third session of the Preparatory Committee, to hold a briefing for those on the margins of the Committee's deliberations and at no additional expense to the latter. Representatives of 91 NGOs attended meetings of the Committee.

10. At its second session, the Committee decided to make every effort to adopt its decisions by consensus. In the event that consensus could not be reached, it would then take decisions in accordance with the rules of procedure of the Fourth Review Conference of the parties to the NPT.

11. At its first session, the Committee decided that its working languages would be Arabic, Chinese, English, French, Russian and Spanish.

12. In accordance with the Committee's decision at its first session, summary records were provided for the meetings of the fourth session (NPT/CONF.1995/PC.IV/SR.1-9), which are issued separately as annex I to the present report.

13. The Committee also decided that press releases should be issued at United Nations Headquarters in New York and at the United Nations Office at Geneva at the conclusion of each session of the Preparatory Committee.

14. At the first, second and third sessions of the Committee, an exchange of views was held on substantive issues related to the NPT and its 1995 Conference under the item "Other business". At its second session, the Committee heard presentations by IAEA on the Agency's Safeguards System and its technical cooperation activities. At its fourth session, the Committee decided to amend the programme of work by adding an item entitled "Exchange of views".

15. In addition to the background papers prepared by the Secretariat, IAEA, OPANAL and the South Pacific Forum (documents NPT/CONF.1995/PC.III/2-11), a number of documents were submitted by delegations during the Committee's sessions. The list of those documents is contained in annex II to the present report.

II. ORGANIZATION OF THE WORK OF THE CONFERENCE

16. In the course of its sessions, the Committee considered the following questions relating to the organization and work of the Conference:

(a) Dates and venue of the Conference;

(b) Draft rules of procedure of the Conference;

(c) Provisional agenda of the Conference;

(d) Organization of Committees;

(e) Financing of the Conference;

(f) Background documentation for the Conference;

(g) Final document(s) of the Conference.

(a) Dates and venue of the Conference

17. At its first session, the Committee decided that the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons would take place in New York from 17 April to 12 May 1995.

(b) Rules of procedure

18. At its second, third and fourth sessions, the Committee considered in depth the draft rules of procedure for the Conference and established an informal working group for that purpose. At its fourth session, the Committee agreed that, in order to finalize the provisional rules of procedure, the Chairman of the informal working group on the rules of procedure would hold further informal consultations on rule 28.3. Those consultations would be held in New York on 14 and 15 April. In order to assist that process, an appendix to annex III (draft rules of procedure) will be prepared, containing the five proposals pertaining to rule 28.3 that are before the informal working group on the rules of procedure.

(c) Agenda for the Conference

19. At its fourth session, the Committee adopted the provisional agenda as contained in annex IV to the present report.

(d) Organization of Committees

20. The Committee agreed to the proposed allocation of items to the Main Committees of the Conference as contained in annex V to the present report.

(e) Financing of the Conference

21. At its fourth session, the Committee decided to accept the revised statement of estimated costs prepared by the secretariat on the estimated cost

of the 1995 Conference, including the sessions of the Preparatory Committee, contained in document NPT/CONF.1995/PC.IV/2. The Committee agreed to the schedule of division of costs contained in appendix 1 to annex III to the present report.

(f) Background documentation

22. At its second session, the Preparatory Committee decided to invite the Secretary-General to prepare five papers, dealing with the overall implementation of the tenth preambular paragraph of the NPT; articles I and II; article VI; and article VII; and negative and positive security assurances. The papers should cover developments within the United Nations, the Conference on Disarmament and other multilateral and bilateral forums. The Preparatory Committee also invited the Director General of IAEA to prepare comprehensive background documentation on the implementation of articles III, IV and V. It also invited the Secretary General of OPANAL and the secretariat of the South Pacific Forum to prepare background papers dealing with their respective activities. The Committee requested that the papers be submitted to its third session.

23. It was also decided that the following general approaches should apply to the proposed papers: all papers must give balanced, objective and factual descriptions of relevant developments, be as short as possible and be easily readable. They must refrain from presenting value judgements. Rather than presenting collections of statements, they should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly relevant to any of the foregoing. The papers should focus on the period since the Fourth Review Conference. In order to make them self-contained, references to earlier developments should be included as appropriate.

24. Specifically:

(a) The paper on the tenth preambular paragraph (comprehensive nuclear test ban) should reflect developments in the Conference on Disarmament; developments within the framework of the United Nations; the amendment conference for the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (partial test-ban treaty); and outside developments;

(b) The paper on articles I and II should draw largely on the relevant discussions and results of the First to Fourth Review Conferences and take account of recent and current developments in the area of nuclear non-proliferation. To the extent necessary, the paper would include cross-references to matters discussed in the paper by IAEA on article III;

(c) The paper on article VI should cover developments regarding cessation of the nuclear arms race, nuclear disarmament and general and complete disarmament;

(d) The paper on article VII should deal with the issue of nuclear-weapon-free zones and contain a brief description of the issue of zones of peace;

(e) The paper on security assurances should deal with both positive and negative security assurances and reflect developments in the Conference on Disarmament and the United Nations and proposals within the ambit of the NPT and elsewhere.

25. In response to the Committee's request at its second session, a number of background papers were submitted for the third session by the Secretariat of the United Nations, and the secretariats of IAEA, OPANAL and the South Pacific Forum. At its third session, the Committee requested the respective secretariats to amend the relevant background papers in the light of comments made in the course of the discussions, to update them to take account of current events in conformity with the general approach adopted at the second session and to submit them to the Conference. In that context, the provisional Secretary-General informed the Committee of the status of updating and amending those papers (NPT/CONF.1995/SR.8).

(g) Final document(s) of the Conference

26. The Committee agreed to defer to the Conference a decision on the question of the final document(s) of the Conference.

III. OFFICERS OF THE CONFERENCE

27. At its first session, the Committee was informed about two candidatures for the position of President of the 1995 Conference. At its second session, the Committee was informed that Poland, as the candidate of the Eastern European Group of States, was withdrawing in favour of Mr. Jayantha Dhanapala of Sri Lanka, the candidate endorsed by the Movement of Non-Aligned Countries. The gesture by Poland was warmly recognized by a number of States parties, which also expressed the wish that Poland be accorded a significant role at the 1995 Conference. The Committee then unanimously endorsed the candidacy of Mr. Dhanapala for the presidency of the 1995 Conference.

28. At the fourth session, the Committee agreed to recommend as Chairmen of the three Main Committees the following:

Main Committee I Mr. Isaac E. Ayewah (Nigeria)

Main Committee II Mr. André Erdös (Hungary)

Main Committee III Mr. Jaap Ramaker (Netherlands)

29. The Committee also agreed to recommend as Chairman of the Drafting Committee Mr. Tadeusz Strulak (Poland) and as Chairman of the Credentials Committee a representative of the Group of Non-Aligned and Other States.

IV. APPOINTMENT OF THE SECRETARY-GENERAL OF THE CONFERENCE

30. At its first session, the Committee decided to invite the Secretary-General of the United Nations, in consultation with the members of the Preparatory Committee, to nominate an official to act as provisional Secretary-General of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, a nomination to be confirmed by the Conference itself. At its second session, the Committee was informed that, in response to that request, the Secretary-General of the United Nations, following consultations with the members of the Preparatory Committee, had nominated Mr. Prvoslav Davinic, Centre for Disarmament Affairs, as provisional Secretary-General of the Conference. The Committee took note of that nomination.

V. PARTICIPATION AT THE CONFERENCE

31. The Committee also decided that invitations to States which, in accordance with the decision on participation, were entitled to participate in the Conference, as well as to the Secretary-General of the United Nations and Director General of IAEA, should be issued by the Chairman of the fourth session of the Preparatory Committee.

VI. ADOPTION OF THE FINAL REPORT

32. The Preparatory Committee adopted its final report at its last meeting, on 27 January 1995.

Annex I

SUMMARY RECORDS OF THE MEETINGS OF THE FOURTH SESSION OF THE PREPARATORY COMMITTEE

[To be distributed individually as NPT/CONF.1995/PV.IV/SR.1-9]

Annex II

LIST OF DOCUMENTS SUBMITTED BY DELEGATIONS

NPT/CONF.1995/PC.III/12	Document submitted by Colombia, Egypt, Indonesia, Iran (Islamic Republic of), Mexico, Myanmar and Nigeria
NPT/CONF.1995/PC.III/13	Letter dated 14 September 1994 from the head of the delegation of Indonesia addressed to the Chairman of the Preparatory Committee, transmitting a document of the Group of Non-Aligned and Other States on substantive issues
NPT/CONF.1995/PC.III/14	Letter dated 15 September 1994 from the head of the German delegation, Presidency of the European Union, addressed to the Chairman of the Preparatory Committee, transmitting a document of the European Union on legal aspects in connection with the extension of the NPT
NPT/CONF.1995/PC.IV/3	Letter dated 25 November 1994 from the Permanent Mission of Yemen to the United Nations Office and Other International Organizations at Geneva informing the Preparatory Committee of the position of Yemen on the question of the holding of the Conference
NPT/CONF.1995/PC.IV/4	Letter dated 23 January 1995 from the representative of Indonesia addressed to the Chairman of the Preparatory Committee
NPT/CONF.1995/PC.IV/6	Letter dated 25 January 1995 from the Permanent Representative of the Democratic People's Republic of Korea addressed to the Chairman of the Preparatory Committee

Annex III

DRAFT RULES OF PROCEDURE

I. REPRESENTATION AND CREDENTIALS

Delegations of Parties to the Treaty

Rule 1

1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the 1995 Review and Extension Conference of the Parties to the Treaty (hereinafter the "Conference"), the objectives of which are to review the operation of the Treaty and to decide on its extension, by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

2. The head of delegation may designate an alternate representative or an adviser to act as a representative.

Credentials

Rule 2

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the Conference. Credentials shall be issued either by the head of the State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 3

The Conference shall establish a Credentials Committee composed of the Chairman and two Vice-Chairmen elected in accordance with rule 5, and six members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 4

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Election

Rule 5

The Conference shall elect the following officers: a President and twenty-six Vice-Presidents, as well as a Chairman and two Vice-Chairmen for each of the three Main Committees, the Drafting Committee and the Credentials Committee. The officers shall be elected so as to ensure a representative distribution of posts.

Acting President

Rule 6

1. If the President is absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the same powers and duties as the President.

Voting rights of the President

Rule 7

The President, or a Vice-President acting as President, shall not vote, but shall appoint another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 8

1. The General Committee shall be composed of the President of the Conference, who shall preside, the twenty-six Vice-Presidents, the Chairmen of the three Main Committees, the Chairman of the Drafting Committee and the Chairman of the Credentials Committee. No two members of the General Committee shall be members of the same delegation and it shall be so constituted as to ensure its representative character.

2. If the President is unable to attend a meeting of the General Committee, he may designate a Vice-President to preside at such meeting and a member of his delegation to take his place. If a Vice-President is unable to attend, he may designate a member of his delegation to take his place. If the Chairman of a Main Committee, the Drafting Committee or the Credentials Committee is unable to attend, he may designate one of the Vice-Chairmen to take his place, with the

right to vote unless he is of the same delegation as another member of the General Committee.

Functions

Rule 9

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the coordination of its work.

IV. CONFERENCE SECRETARIAT

Duties of the Secretary-General of the Conference

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its committees and working groups, and may designate a member of the secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference.

Duties of the secretariat

Rule 11

The secretariat of the Conference shall, in accordance with these rules:

(a) Interpret speeches made at meetings;

(b) Receive, translate and circulate the documents of the Conference;

(c) Publish and circulate any report of the Conference;

(d) Make and arrange for the keeping of sound recordings and summary records of meetings;

(e) Arrange for the custody of documents of the Conference in the archives of the United Nations and provide authentic copies of these documents to each of the depository Governments; and

(f) Generally perform all other work that the Conference may require.

Costs

Rule 12*

1. The costs of the Conference, including the sessions of the Preparatory Committee, will be met by the States Parties to the Treaty participating in the Conference in accordance with the schedule for the division of costs attached as appendix 1.

V. CONDUCT OF BUSINESS

Quorum

Rule 13

1. Except as provided in paragraph 2 below, a majority of the States Parties to the Treaty participating in the Conference shall constitute a quorum.

2. With respect to an article X.2 decision, a majority of the States Parties to the Treaty shall constitute a quorum.

3. To determine whether the Conference is quorate, any State Party may call for a roll call at any time.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference; he shall declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, ascertain consensus, put questions to the vote and announce decisions. He shall rule on points of order. The President, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times the representative of each State may speak on the question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

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* It is understood that the financial arrangements provided by rule 12 do not constitute a precedent.

Points of order

Rule 15

A representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 15, 17 and 19 to 22, the President shall call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the subject under discussion and the President may call a speaker to order if his remarks are not relevant thereto.

3. The Conference may limit the time allowed to speakers and the number of times the representative of each State may speak on a question; permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by his committee.

Closing of list of speakers

Rule 18

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 22.

Right of reply

Rule 19

Notwithstanding rule 18, the President may accord the right of reply to a representative of any State participating in the Conference. Such statements shall be as brief as possible and shall, as a general rule, be delivered at the end of the last meeting of the day.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 23, be immediately put to the vote.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 23, be immediately put to the vote.

Closure of debate

Rule 22

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 23, be immediately put to the vote.

Order of motions

Rule 23

The motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

(a) To suspend the meeting;

(b) To adjourn the meeting;

(c) To adjourn the debate on the question under discussion;

(d) To close the debate on the question under discussion.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals and substantive amendments shall be discussed or decided on no earlier than twenty-four hours after copies have been circulated in all languages of the Conference to all delegations.

Withdrawal of proposals and motions

Rule 25

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Decision on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Reconsideration of proposals

Rule 27

Proposals adopted by consensus and a decision taken in accordance with rule 28.3 may not be reconsidered unless the Conference reaches a consensus on such reconsideration. A proposal other than a proposal under rule 28.3 that has been adopted or rejected by a majority or two-thirds vote may be reconsidered if the Conference, by a two-thirds majority, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

VI. VOTING AND ELECTIONS

Adoption of decisions

Rule 28

The tasks of the Conference being to review, pursuant to paragraph 3 of article VIII of the Treaty, the operation of the Treaty with a view to ensuring that the purposes of the preamble and the provisions of the Treaty are being realized, and thus to strengthen its effectiveness, and to decide, in accordance with paragraph 2 of article X of the Treaty, whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods, every effort should be made to reach agreement on substantive matters by means of consensus. There should be no voting on such matters until all efforts to achieve consensus have been exhausted.

1. General

(a) Decisions on matters of procedure and in elections shall be taken by a majority of representatives present and voting.

(b) If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

(c) In cases where a vote is taken, the relevant rules of procedure relating to voting of the General Assembly of the United Nations shall apply, except as otherwise specifically provided herein.

2. Review

(a) If, notwithstanding the best efforts of delegates to achieve a consensus, a matter of substance comes up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

(b) If by the end of the period of deferment the Conference has not reached agreement, voting shall take place and decisions shall be taken by a two-thirds majority of the representatives present and voting, providing that such majority shall include at least a majority of the States participating in the Conference.

3. The extension*

(a) The requirements of paragraph 2 of article X of the Treaty shall be considered met when there is a consensus in support of a proposal made in accordance with that paragraph, provided that the Conference is quorate as defined in rule 13.

(b) If, notwithstanding the best efforts of delegates to achieve a consensus decision on extension, a proposal or proposals come up for voting, the President shall defer the vote for forty-eight hours and during this period of deferment shall make every effort, with the assistance of the General Committee, to facilitate the achievement of general agreement, and shall report to the Conference prior to the end of the period.

(c) If by the end of the period of deferment the Conference has not reached a consensus decision on the extension, voting shall take place and the decision shall be taken by a majority of the Parties to the Treaty, in accordance with paragraph 2 of article X.

(d) The Conference may be closed only when the decision required by paragraph 2 of article X of the Treaty has been reached.

Voting rights

Rule 29

Every State Party to the Treaty shall have one vote.

Meaning of the phrases "representatives present and voting" and "majority of the Parties to the Treaty"

Rule 30

1. For the purposes of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting are considered as not voting.

2. For the purposes of these rules, the term "majority of the Parties to the Treaty" means more than half of the total number of all States Parties to the Treaty.

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* Rule 28.3 has not been finalized. A number of suggestions for revision are reflected in appendix 2.

Elections

Rule 31

All elections shall be held by secret ballot, unless the Conference decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Rule 32

1. If, when only one elective place is to be filled, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined to the two candidates having obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes a special ballot shall be held; if a tie again results in this special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 1.

Rule 33

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that if only one place remains to be filled the procedures in rule 32 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.

3. If such a restricted ballot (not counting a special ballot held under the conditions specified in the last sentence of paragraph 2) is inconclusive, the President shall decide among the candidates by drawing lots.

VII. COMMITTEES

Main Committees and working groups

Rule 34

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish working groups. As a general rule each State Party to the Treaty participating in the Conference may be represented in the working groups unless otherwise decided by consensus.

Representation on the Main Committees

Rule 35

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Drafting Committee

Rule 36

1. The Conference shall establish a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other delegations may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Officers and procedures

Rule 37

The rules relating to officers, the Conference secretariat, conduct of business and voting of the Conference (contained in chaps. II (rules 5-7), IV (rules 10-11), V (rules 13-27) and VI (rules 28-33) above) shall be applicable, mutatis mutandis, to the proceedings of committees and working groups, except that:

(a) Unless otherwise decided, any working group shall elect a chairman and such other officers as it may require;

(b) The Chairmen of the General, the Drafting and the Credentials Committees and the Chairmen of working groups may vote in their capacity as representatives of their States;

(c) A majority of the representatives on the General, Drafting and Credentials Committees or on any working group shall constitute a quorum; the Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when at least one quarter of the representatives of the States participating in the Conference are present.

VIII. LANGUAGES AND RECORDS

Languages of the Conference

Rule 38

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Interpretation

Rule 39

1. Speeches made in a language of the Conference shall be interpreted into the other languages.

2. A representative may make a speech in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other languages of the Conference by interpreters of the secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 40

Official documents shall be made available in the languages of the Conference.

Sound recordings of meetings

Rule 41

Sound recordings of meetings of the Conference and of all committees shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the Main Committee concerned, no such recordings shall be made of the meetings of a working group thereof.

Summary records

Rule 42

1. Summary records of the plenary meetings of the Conference and of the meetings of the Main Committees shall be prepared by the secretariat in the languages of the Conference. They shall be distributed in provisional form as soon as possible to all participants in the Conference. Participants in the debate may, within three working days of receipt of provisional summary records, submit corrections on summaries of their own interventions to the Secretariat; in special circumstances, the presiding officer may, in consultation with the Secretary-General of the Conference, extend the time for submitting corrections. Any disagreement concerning such corrections shall be decided by the presiding officer of the body to which the record relates, after consulting, where necessary, the sound recordings of the proceedings. Separate corrigenda to provisional records shall not normally be issued.

2. The summary records, with any corrections incorporated, shall be distributed promptly to participants in the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

Rule 43

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. PARTICIPATION AND ATTENDANCE

Rule 44

1. Observers

(a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference.* Such a State shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer State shall also be entitled to submit documents to the participants in the Conference.

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* It is understood that any such decision will be in accordance with the practice of the General Assembly.

(b) Any national liberation organization entitled by the General Assembly of the United Nations* to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer organization shall also be entitled to submit documents to the participants in the Conference.

2. The United Nations and the International Atomic Energy Agency

The Secretary-General of the United Nations and the Director General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

3. Specialized agencies and regional intergovernmental organizations

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other regional intergovernmental organizations and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees, other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as conference documents.

4. Non-governmental organizations

Representatives of non-governmental organizations who attend meetings of the plenary or of the Main Committees will be entitled upon request to receive the documents of the Conference.

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* Pursuant to General Assembly resolutions 3237 (XXIX) of 22 November 1974, 3280 (XXIX) of 10 December 1974 and 152/31 of 20 December 1976.

Appendix 1
(to rule 12)

SCHEDULE FOR THE DIVISION OF COSTS

1. The attached schedule shows the allocation of costs between States based on participation of States in the first, second, third or fourth sessions of the Preparatory Committee.

2. The schedule for the actual division of costs will be subject to review in the light of participation of States in the Conference, except that the shares designated in the schedule with an asterisk will remain as shown in the schedule. The balance of costs will be divided among the other States Parties according to the ratio of their respective assessments under the United Nations scale. (The assigned contributions of States Parties not members of the United Nations will be based upon estimates.)*

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* Three States Parties have contested and continued to contest, under Article 2 (1) of the Charter of the United Nations, the assessment rates decided by the General Assembly in its decision 47/456 and in its resolution 49/19. However, they agree to assume the share apportioned to them as indicated in the present appendix.

SCHEDULE

		Per cent share of estimated total costs
1.	Afghanistan	0.01
2.	Albania	0.01
3.	Algeria	0.13
4.	Antigua and Barbuda	0.01
5.	Armenia	0.07
6.	Australia	1.20
7.	Austria	0.70
8.	Azerbaijan	0.13
9.	Bahamas	0.02
10.	Bahrain	0.02
11.	Bangladesh	0.01
12.	Barbados	0.01
13.	Belarus	0.31
14.	Belgium	0.82
15.	Belize	0.01
16.	Benin	0.01
17.	Bhutan	0.01
18.	Bolivia	0.01
19.	Bosnia and Herzegovina	0.02
20.	Botswana	0.01
21.	Brunei Darussalam	0.02
22.	Bulgaria	0.08
23.	Burkina Faso	0.01
24.	Cambodia	0.01
25.	Cameroon	0.01
26.	Canada	2.53
27.	Cape Verde	0.01
28.	Central African Republic	0.01
29.	China	0.91*
30.	Colombia	0.09
31.	Costa Rica	0.01
32.	Côte d'Ivoire	0.01
33.	Croatia	0.08
34.	Cyprus	0.02
35.	Czech Republic	0.26
36.	Democratic People's Republic of Korea	0.03
37.	Denmark	0.58
38.	Dominica	0.01
39.	Dominican Republic	0.01
40.	Ecuador	0.02
41.	Egypt	0.06
42.	El Salvador	0.01
43.	Equatorial Guinea	0.01
44.	Estonia	0.04
45.	Ethiopia	0.01
46.	Fiji	0.01
47.	Finland	0.50

48.	France	7.14*
49.	Gabon	0.01
50.	Germany	7.37
51.	Ghana	0.01
52.	Greece	0.31
53.	Grenada	0.01
54.	Guatemala	0.02
55.	Guinea	0.01
56.	Guinea-Bissau	0.01
57.	Guyana	0.01
58.	Haiti	0.01
59.	Holy See	0.01
60.	Honduras	0.01
61.	Hungary	0.12
62.	Iceland	0.02
63.	Indonesia	0.12
64.	Iran (Islamic Republic of)	0.49
65.	Iraq	0.12
66.	Ireland	0.16
67.	Italy	3.95
68.	Jamaica	0.01
69.	Japan	11.50
70.	Jordan	0.01
71.	Kazakhstan	0.21
72.	Kenya	0.01
73.	Kyrgyzstan	0.03
74.	Kuwait	0.16
75.	Lao People's Democratic Republic	0.01
76.	Latvia	0.08
77.	Lebanon	0.01
78.	Lesotho	0.01
79.	Liberia	0.01
80.	Libyan Arab Jamahiriya	0.17
81.	Liechtenstein	0.01
82.	Lithuania	0.09
83.	Luxembourg	0.06
84.	Madagascar	0.01
85.	Malawi	0.01
86.	Malaysia	0.12
87.	Maldives	0.01
88.	Mali	0.01
89.	Malta	0.01
90.	Mauritania	0.01
91.	Mauritius	0.01
92.	Mexico	0.64
93.	Mongolia	0.01
94.	Morocco	0.02
95.	Mozambique	0.01
96.	Myanmar	0.01
97.	Namibia	0.01
98.	Nepal	0.01
99.	Netherlands	1.30

100.	New Zealand	0.20
101.	Nicaragua	0.01
102.	Niger	0.01
103.	Nigeria	0.13
104.	Norway	0.45
105.	Panama	0.01
106.	Papua New Guinea	0.01
107.	Paraguay	0.01
108.	Peru	0.05
109.	Philippines	0.05
110.	Poland	0.31
111.	Portugal	0.20
112.	Qatar	0.03
113.	Republic of Korea	0.66
114.	Republic of Moldova	0.09
115.	Romania	0.12
116.	Russian Federation	8.00*
117.	Rwanda	0.01
118.	Saint Lucia	0.01
119.	Samoa	0.01
120.	San Marino	0.01
121.	Sao Tome and Principe	0.01
122.	Saudi Arabia	0.66
123.	Senegal	0.01
124.	Seychelles	0.01
125.	Sierra Leone	0.01
126.	Singapore	0.12
127.	Slovakia	0.08
128.	Slovenia	0.06
129.	Solomon Islands	0.01
130.	South Africa	0.28
131.	Spain	1.85
132.	Sri Lanka	0.01
133.	Sudan	0.01
134.	Suriname	0.01
135.	Sweden	1.01
136.	Switzerland	1.00
137.	Syrian Arab Republic	0.04
138.	Thailand	0.11
139.	Togo	0.01
140.	Trinidad and Tobago	0.03
141.	Tunisia	0.02
142.	Turkey	0.28
143.	Uganda	0.01
144.	Ukraine	1.22
145.	United Kingdom of Great Britain and Northern Ireland	6.13*
146.	United Republic of Tanzania	0.01
147.	United States of America	32.82*
148.	Uruguay	0.03
140.	Uzbekistan	0.16
150.	Venezuela	0.33
151.	Viet Nam	0.01

152.	Yemen	0.01
153.	Zambia	0.01
154.	Zimbabwe	0.01

Appendix 2

PROPOSALS ON RULE 28.3

The following five proposals on rule 28.3 were submitted to the Informal Working Group on the Rules of Procedure during the fourth session of the Preparatory Committee. These proposals will be taken up in the informal consultations of the Group to be held 14 and 15 April 1995 in New York.

1. Proposal by Mexico

(a) Add the following new paragraph after rule 28.3 (a):

In order to achieve the decision on the extension of the Treaty, the President shall conduct consultations from the outset of the Conference and keep the General Committee informed in this regard.

(b) Renumber the remaining paragraphs accordingly.

2. Proposal by the non-aligned countries

(a) Replace the existing rule 28.3 (c) by the following.

(c) If by the end of the period of deferment the Conference has not reached a consensus decision on the extension, voting shall take place.

(d) All extension proposals shall be put to a vote simultaneously and on a single ballot. The proposal receiving the highest number of votes shall be the final decision of the Conference on the extension of the Treaty, provided that the decision is supported by a majority of Parties to the Treaty in accordance with article X.2.

(e) If no proposal receives the required majority, the proposal having received the smallest number of votes will be eliminated and successive ballot(s) between proposals with the highest number of votes will be conducted until the majority in accordance with article X.2. is reached.

(b) Renumber existing paragraph 3 (d) as 3 (f).

3. Proposal by the United Kingdom

(a) After paragraph 28.3 (c) add

(d) The order of submission of proposals shall not determine the order in which they are considered.

(e) Any amendment to a proposal shall be considered a new proposal, although the sponsor of a proposal may revise his own proposal at any time before a decision on it has been taken.

(b) Renumber existing subparagraph (d) as (f).

4. Proposal by Indonesia

Paragraph 28.3 (d) should read

The Conference may be closed only for a maximum period of one year when the decision required by paragraph 2 of article X of the Treaty has not been reached.

5. Proposal by the Russian Federation

Paragraph 28.3 (d) should read

The Conference cannot be closed nor suspended or recessed unless and until the decision required by paragraph 2 of article X of the Treaty has been reached.

Annex IV

PROVISIONAL AGENDA

1. Opening of the Conference by the Chairman of the fourth session of the Preparatory Committee.

2. Election of the President of the Conference.

3. Statement by the President of the Conference.

4. Address by the Secretary-General of the United Nations.

5. Address by the Director General of the International Atomic Energy Agency.

6. Submission of the final report of the Preparatory Committee.

7. Adoption of the rules of procedure.

8. Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee.

9. Election of Vice-Presidents.

10. Credentials of representatives to the Conference:

    (a) Appointment of the Credentials Committee;

    (b) Report of the Credentials Committee.

11. Confirmation of the nomination of the Secretary-General.

12. Adoption of the agenda.

13. Programme of work.

14. Adoption of arrangements for meeting the costs of the Conference.

15. General debate.

16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

    (a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

        (i) Articles I and II and preambular paragraphs 1 to 3;

        (ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII with specific reference to the main issues in (a) and (b);

(b) Security assurances:

(i) United Nations Security Council resolution 255 (1968);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons;

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII;

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2) and (4) and preambular paragraphs 4 and 5;

(ii) Article V.

(e) Other provisions of the Treaty.

17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

18. Reports of the Main Committees.

19. Decision on the extension of the Treaty as provided for in article X, paragraph 2.

20. Consideration and adoption of Final Document(s).

21. Any other business.

Annex V

PROPOSED ALLOCATION OF ITEMS TO THE MAIN COMMITTEES OF THE CONFERENCE

1. The Preparatory Committee agreed to recommend for consideration by the Conference the following allocation of items to the three Main Committees, with the understanding that the remaining items would be considered in the Plenary.

2. It is understood that all articles, preambular paragraphs and agenda items allocated to the Main Committees shall be reviewed in their interrelationship. Main Committee I is entrusted with the task of assessing the extent to which obligations of articles I, II and VI are being met.

1. Main Committee I

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(a) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(i) Articles I and II and preambular paragraphs 1 to 3;

(ii) Article VI and preambular paragraphs 8 to 12;

(iii) Article VII, with specific reference to the main issues considered in this Committee;

(b) Security assurances:

(i) United Nations Security Council resolution 255 (1968);

(ii) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

2. Main Committee II

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(c) Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:

(i) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7;

(ii) Articles I and II and preambular paragraphs 1 to 3 in their relationship to articles III and IV;

(iii) Article VII.

(e) Other provisions of the Treaty.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

3. Main Committee III

Item 16. Review of the operation of the Treaty as provided for in its article VIII, paragraph 3:

(d) Implementation of the provisions of the Treaty relating to the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II:

(i) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1), (2), (4) and preambular paragraphs 4 and 5;

(ii) Article V.

Item 17. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.